

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

DIEGO ALCANTARA,

Plaintiff,

v.

OFFICE OF THE SPECIAL NARCOTICS  
PROSECUTOR FOR THE CITY OF NEW  
YORK UC 133, Individually and as an  
undercover officer for the Office of the Special  
Narcotics Prosecutor for the City of New  
York, UNITED STATES DEPARTMENT OF  
JUSTICE DRUG ENFORCEMENT  
ADMINISTRATION SPECIAL AGENT  
MARK CRANE, UNITED STATES  
DEPARTMENT OF JUSTICE DRUG  
ENFORCEMENT ADMINISTRATION  
SPECIAL AGENT JOHN OLDANO,  
UNITED STATES DEPARTMENT OF  
JUSTICE DRUG ENFORCEMENT  
ADMINISTRATION SPECIAL AGENT  
MICHAEL DELLAMARA, and UNITED  
STATES DEPARTMENT OF JUSTICE  
DRUG ENFORCEMENT  
ADMINISTRATION Group Supervisor  
NICHOLAS CARUSO, all individual USDOJ  
DEA Defendants are being sued in their  
individual capacities,

Defendants.

ECF Case

No. 07 Civ. 6480 (JGK)

**NOTICE OF MOTION**

PLEASE TAKE NOTICE that upon the memorandum of law in support of the motion of defendants Mark Crane, Michael Dellamura, John Oldano, and Nicholas Caruso (the “DEA Agents”) to dismiss the second amended complaint, or, in the alternative, for summary judgment, defendants’ statement pursuant to Local Rule 56.1, the Declarations of David Bober and the DEA Agents, and upon all the pleadings filed in this action, the DEA Agents, by their attorney,

Michael J. Garcia, United States Attorney for the Southern District of New York, will move this Court for an order dismissing the second amended complaint pursuant to Rules 12(b)(1), 12(b)(6), and 56 of the Federal Rules of Civil Procedure, and for such other and further relief as the Court deems just.

Dated: New York, New York  
August 8, 2008

Respectfully submitted,

MICHAEL J. GARCIA  
United States Attorney for the  
Southern District of New York  
Attorney for Defendants Mark Crane,  
Michael Dellamura, John Oldano, and  
Nicholas Caruso

By: /s/ David Bober  
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